



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION II  
290 BROADWAY  
NEW YORK, NEW YORK 10007-1866**

November 19, 2015

**BY ELECTRONIC MAIL**

Robert Law, Ph.D.  
demaximis, inc.  
186 Center Street, Suite 290  
Clinton, New Jersey 08809

Re: Lower Passaic River Study Area, 17-Mile RI/FS  
Benthic Community Exposure Depth

Dear Dr. Law:

This will respond to your letter dated November 13, 2015. Your letter provides the Dispute Resolution Statement of the Lower Passaic River Cooperating Parties Group (CPG) and addresses EPA's query whether to extend the informal Negotiation Period under Paragraph 64 of the Administrative Settlement Agreement and Order on Consent (AOC) for the Remedial Investigation and Feasibility Study.

Although the letter states, on the final page, that the CPG believes that "site-specific exposures zone(s) could be resolved if the Region was willing to engage in a series of meaningful and substantive face-to-face meetings" this is belied by the rest of the letter, which substantially mischaracterizes both EPA's already-extensive engagement with the CPG on this issue and EPA's technical position.

EPA will review the Dispute Statement provided by the CPG and evaluate if there is any basis for further discussions. If there is, we will schedule a meeting at the earliest mutually convenient time.

If the Dispute Statement shows that there is no utility in further discussions, we will develop a statement of position on behalf of the Lower Passaic River team, with input from the Partner Agencies (New Jersey Department of Environmental Protection, U.S. Fish & Wildlife Service, and National Oceanic and Atmospheric Administration), to provide to Walter Mugdan, the dispute decision maker for EPA.

We will let your know in early December 2015 how we intend to proceed.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Vaughn", is located below the "Sincerely," text.

Stephanie Vaughn, Project Manager  
LPRSA 17-Mile RI/FS

cc: R. Basso  
W. Mugdan, EPA  
S. Flanagan, EPA  
W. Hyatt, CPG